



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : **Confirmation No. 5677**  
Koji TESHIMA et al. : Attorney Docket No. 2004\_1514A  
Serial No. 10/508,339 : Group Art Unit 1625  
Filed October 25, 2004 : Examiner David K O Dell  
REMEDY FOR SLEEP DISTURBANCE : **Mail Stop: Issue Fee**

**REQUEST FOR RECONSIDERATION OF PATENT TERM ADJUSTMENT**  
**UNDER 37 C.F.R. § 1.705**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. § 1.705(b), Applicants respectfully request that the Patent Term Adjustment ("PTA") for this application should be 477 days, instead of 473 days as indicated in the Issue Notification.

In particular, according to the Patent Term Adjustment history, the USPTO is responsible for 575 day increase in patent term while the Applicants are responsible for 102 days decrease in this adjustment. However, Applicants believe that this decrease in 102 days is incorrect. It is noted that a Supplemental Response was filed January 15, 2009. It is indicated that such response is responsible for a delay of 38 days. However, Applicants note that the applicable Office Action was mailed September 12, 2008. Thus, a timely response could have been filed until December 12, 2008. Instead, a Supplemental Response was filed January 15, 2009. This is a total delay of **34 days** instead of 38 days as indicated. Thus, the total amount of Applicants' delay is 98 days. Subtracting 98 days from the USPTO delay of 575 days equals 477 days.

Enclosed herewith is a copy of a print out from the PAIR system showing the Patent Term Adjustment history. Based on the discussion above, Applicants believe that the PTA for this application should be increased to 477 days.

04/29/2009 AWONDAF2 00000074 10508339

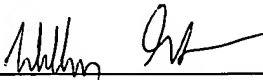
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The required fee of \$200.00 is enclosed.

Respectfully submitted,

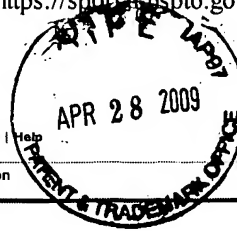
Koji TESHIMA et al.

By   
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April 28, 2009



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## Patent Term Adjustment

Filing or 371(c) Date:	10-25-2004	USPTO Delay (PTO) Delay (days):	575
Issue Date of Patent:	-	Three Years:	-
Pre-Issue Petitions (days):	+0	Applicant Delay (APPL) Delay (days):	102
Post-Issue Petitions (days):	+0	Total Patent Term Adjustment (days):	473
USPTO Adjustment (days):	+0	Explanation Of Calculations	

## Patent Term Adjustment History

Date	Contents Description	PTO(Days)	APPL(Days)
02-23-2009	Mail Notice of Allowance		
02-23-2009	Notice of Allowance Data Verification Completed		
01-22-2009	Document Verification		
02-23-2009	Date Forwarded to Examiner		
01-15-2009	Supplemental Response		38
01-22-2009	Case Docketed to Examiner in GAU		↑
01-11-2009	Examiner Interview Summary Record (PTOL - 413)		↑
01-16-2009	Date Forwarded to Examiner		↑
01-15-2009	Supplemental Response		↑
01-05-2009	Date Forwarded to Examiner		↑
12-08-2008	Amendment after Final Rejection		↑
09-12-2008	Mail Final Rejection (PTOL - 326)		
09-12-2008	Final Rejection		
07-12-2008	Date Forwarded to Examiner		
06-18-2008	Response after Non-Final Action		
03-18-2008	Mail Non-Final Rejection		
03-13-2008	Non-Final Rejection		
02-06-2008	Date Forwarded to Examiner		
12-26-2007	Response after Non-Final Action		64
12-26-2007	Request for Extension of Time - Granted		↑
07-23-2007	Mail Non-Final Rejection	575	
07-17-2007	Non-Final Rejection	↑	
07-17-2007	Case Docketed to Examiner in GAU	↑	
05-06-2007	Case Docketed to Examiner in GAU	↑	
10-14-2005	IFW TSS Processing by Tech Center Complete	↑	
10-25-2004	Miscellaneous Incoming Letter	↑	
10-14-2005	Case Docketed to Examiner in GAU	↑	
10-25-2004	Reference capture on IDS	↑	
02-28-2005	Cleared by OIPE CSR	↑	
02-18-2005	Cleared by OIPE CSR	↑	
02-18-2005	Cleared by OIPE CSR	↑	
10-25-2004	371 Completion Date	↑	
02-08-2005	Application Dispatched from OIPE	↑	
02-08-2005	Notice of DO/EO Acceptance Mailed	↑	

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